

**REMARKS**

The Office Action dated February 26, 2004 has been fully considered by the Applicant. Claims 1-7 have been currently amended. Reconsideration of the rejections is respectfully requested.

Enclosed is a Petition For Three-Month Extension of Time and a check for \$950 to cover the cost of the Petition.

Claim 4 has been rejected under 35 USC 112 for having an insufficient antecedent basis.

Claim 4 has been currently amended to overcome this rejection.

Claims 1-7 have been rejected under 35 USC 102(e) as being anticipated by United States Patent Publication No. 2003/0154477A1 to Hassell et al. Applicant's claims 1-7 have been currently amended and therefore Applicant respectfully requests reconsideration of the rejection.

Applicant's independent claims 1 and 7 have been amended to further define that the electronic program guide at a particular location is time shifted in response to the delay in display of the remainder of a program so as to provide synchronization of the time shifted electronic program guide details with the display of the program and/or the display of the remainder of the program and/or subsequent programs. The '477 publication to Hassell et al does not include a time shifted electronic program guide as in Applicant's invention. The Hassell et al '477 publication is directed toward a system which can record programs and information transmitted with the programs and includes an electronic program guide for displaying recorded programs and current listing. However, the '477 Hassell et al publication does not include the time-shifting (displayed by the electronic program guide) caused by interaction of the same, as does Applicant's invention. The electronic program guide of the '477 Hassell et al publication is not synchronized with the display of the remainder of the program and/or subsequent programs as does Applicant's invention. Therefore,

reconsideration of the rejection is respectfully requested.

In Applicant's invention, a user may choose to watch channel 1 until 7:30, a film on channel 2 which runs from 7:30 to 8:30, and news on channel 3 which starts at 8:00, as seen in Figure 5. Clearly, the selections overlap each other, but by using the apparatus of Applicant's invention the film on channel 2 may be interrupted and delayed by the user so that the news on channel 3 can be watched at the appropriate time. The viewing of the film is continued with the display generated from the data held on the memory means at the data receiver at the user location so that the end of the film can be watched. However, due to the delay the user's viewing schedule is then out of synchronization with the schedule. The system records overlapping programs and the electronic program guide allows for the overlaps, displaying offset times according to the viewing choices, i.e. the film, according to the electronic program guide, would start at 8:00 and end at 9:00.

However, the electronic program guide of the '477 Hassell et al publication would only display the actual times of the programs and not the localized shifted times as in Applicant's invention. The '477 Hassell et al publication electronic program guide would indicate that the film would end at 8:30, that is, the actual time, and not at the time shifted time of 9:00, as is indicated in Applicant's invention

Thus, although the electronic program guide of '477 Hassell et al publication is adjusted in response to recording a program, the details of the electronic program locations are not time shifted to take into account the overlaps between programs, as in Applicant's currently amended application. Therefore, Applicant believes that currently amended claims 1 through 7 are novel over the Hassell et al publication and respectfully requests reconsideration of the rejection.

Currently amended claims 2-6 depend from currently amended claim 1 and are believed novel over the cited reference as stated with reference to claim 1.

It is believed that the application is now in condition for allowance and such action is earnestly solicited. If any further issues remain, a telephone conference with the Examiner is respectfully requested. If there are any charges associated with this amendment, the Examiner is hereby authorized to charge such charges to Deposit Account No. 08-1500.

HEAD, JOHNSON & KACHIGIAN

Respectfully submitted,

  
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